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STORK, KYLE R				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/977,143

Applicant(s)

HANEVOLD, ROBERT M.

Examiner

KYLE R. STORK

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 and 24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This final office action is in response to the Pre-Appeal Brief filed 5 June 2009. and the claims filed 10 November 2008.
2. Claims 1-18 and 24 are pending. Claims 1, 5, 10, 15, 18, and 24 are independent claims.

The rejection of claims 1-17 and 24 under 35 USC 103 over Brown et al. (US 6278448, filed 17 February 1998, hereafter Brown) and further in view of Barlow et al. (US 6275935, filed 17 April 1998, hereafter Barlow) and further in view of Wagner (US 6085224, patented 4 July 2000) has been withdrawn.

The rejection of claim 18 under 35 USC 103 over Moneymaker et al. (US 2002/0049708, provisional filed 2 May 2000, hereafter Moneymaker and further in view of Wagner has been withdrawn.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-17 and 24 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al. (US 6278448, filed 17 February 1998, hereafter Brown)

and further in view of Himmel et al. (US 6237035, filed 18 December 1997, hereafter Himmel) and further in view of Wagner (US 6085224, parented 4 July 2000).

In regard to independent claim 1, Brown discloses rendering source code that defines said data input screen in said client device (Brown Col 2 Lines 4-51 i.e. client applications the communicate with server computers to receive components which allow users to enter information); defining an executable script within said source code; and executing said executable script in response to user input (Brown Col 14 Lines 44-48 and Col 16 Lines 47-49).

Brown fails to specifically disclose rendering the data input screen inaccessible to prevent user input. However, Himmel discloses rendering the data input screen inaccessible to prevent user input (Figure 5). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Brown's method with Himmel method, since it would have prevented multiple submission of duplicate data.

Brown further fails to disclose associating the executable script with a predetermined z-index number for a web page and rendering inaccessible those data entry elements associated with the web page that have a z-index change from the predetermined z-index number. Wagner discloses use of a z-index number allowing for submission of form data if the z-index value is zero, while the data entry elements, such as a submit button are rendered inaccessible if the z-index value is one, thereby preventing duplicate execution of the executable script (column 13, lines 13-20).

Although Wagner discloses disabling a command based upon a change to a higher z-index value, one of ordinary skill in the art would have recognized that in both Wagner, and the instant application, the focus is upon the change of the z-index from one value to a second different value. Similarly, the change from a higher value to a lower value as opposed to a change from a lower value to a higher value is a design choice that does not alter the teaching of Wagner. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Wagner with Brown, since it would have allowed a user to disable form content.

In regard to dependent claim 2, Brown, Himmel, and Wagner disclose the limitations similar to those in claim 1, and the same rejection is incorporated herein. Brown further discloses wherein said source code comprises a tag-based language. (Brown Col 15 Lines 20-35)

In regard to dependent claim 3, Brown, Himmel, and Wagner disclose the limitations similar to those in claim 2, and the same rejection is incorporated herein. Brown further discloses wherein said source code defines a membrane layer at a higher z-index level than other Web page elements, and said step of executing said executable script further comprises changing a visibility attribute of said membrane layer (Brown Col 11 Lines 43-67 and Col 12 Lines 1-43 and Col 7 Lines 49-65 i.e. a z-index that is defined and also layers).

In regard to dependent claim 4, Brown, Himmel, and Wagner disclose the limitations similar to those in claim 1, and the same rejection is incorporated herein. Brown further discloses wherein said data input screen is received from a remote server

and said step of executing said executable script is performed solely on said client device without any further processing by said remote server. (Brown Col 2 Lines 4-51 i.e. client applications the communicate with server computers to receive components which allow users to enter information)

In regard to independent claim 5, Brown discloses a central processing unit; a memory; a user input device; a display; and a browser adapted to render said input screen on said display. (Brown Col 4 Lines 55-67 and Col 5 Lines 1-24 i.e. describe a computer system used to carry out the process)

Brown fails to specifically disclose rendering the data input screen inaccessible to prevent user input. However, Himmel discloses rendering the data input screen inaccessible to prevent user input (Figure 5). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Brown's method with Himmel method, since it would have prevented multiple submission of duplicate data.

Brown further fails to disclose associating the executable script with a predetermined z-index number for a web page and rendering inaccessible those data entry elements associated with the web page that have a z-index change from the predetermined z-index number. Wagner discloses use of a z-index number allowing for submission of form data if the z-index value is zero, while the data entry elements, such as a submit button are rendered inaccessible if the z-index value is one (column 13, lines 13-20). Although Wagner discloses disabling a command based upon a change to a higher z-index value, one of ordinary skill in the art would have recognized that in both

Wagner, and the instant application, the focus is upon the change of the z-index from one value to a second different value. Similarly, the change from a higher value to a lower value as opposed to a change from a lower value to a higher value is a design choice that does not alter the teaching of Wagner. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Wagner with Brown, since it would have allowed a user to disable form content.

In regard to dependent claim 6, Brown, Himmel, and Wagner disclose the limitations similar to those in claim 5, and the same rejection is incorporated herein. Brown further discloses wherein said executable code is executed in response to user input. (Brown Col 14 Lines 44-48 and Col 16 Lines 47-49)

In regard to dependent claims 7 and 16, claims 7 and 16 reflect the same subject matter claimed in claim 2 and is rejected along the same rationale.

In regard to dependent claim 8, Brown, Himmel, and Wagner disclose the limitations similar to those in claim 5, and the same rejection is incorporated herein. Brown further discloses wherein said source code defines a membrane, and wherein a visibility attribute of said membrane is changed by said executable script (Brown Col 7 Lines 49-65 i.e. layers known as wallpaper that can be visible and manipulated and resized).

In regard to dependent claim 9, Brown, Himmel, and Wagner disclose the limitations similar to those in claim 8, and the same rejection is incorporated herein. Brown further discloses wherein said membrane is defined as a layer in a cascading

style sheet web page. (Brown Col 11 Lines 47-67 and Col 12 Lines 1-43 i.e. show code that includes cascading style sheets).

In regard to independent claim 10, Brown discloses a form definition component defining a data input screen and a data submission field (Brown Col 5 Lines 25-35 i.e. user enters commands and information); a style definition component defining a layer having a width and height at least as large as said data submission field; a function definition component responsive to said data submission field (Brown Col 11 Lines 47-67 and Col 12 Lines 1-43 i.e. shows code that includes cascading style sheets, which define widths and columns to submit forms submitted).

Brown fails to specifically disclose rendering the data input screen inaccessible to prevent user input. However, Himmel discloses rendering the data input screen inaccessible to prevent user input (Figure 5). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Brown's method with Himmel method, since it would have prevented multiple submission of duplicate data.

Brown further fails to disclose associating the executable script with a predetermined z-index number for a web page and rendering inaccessible those data entry elements associated with the web page that have a z-index change from the predetermined z-index number. Wagner discloses use of a z-index number allowing for submission of form data if the z-index value is zero, while the data entry elements, such as a submit button are rendered inaccessible if the z-index value is one (column 13, lines 13-20). Although Wagner discloses disabling a command based upon a change to

a higher z-index value, one of ordinary skill in the art would have recognized that in both Wagner, and the instant application, the focus is upon the change of the z-index from one value to a second different value. Similarly, the change from a higher value to a lower value as opposed to a change from a lower value to a higher value is a design choice that does not alter the teaching of Wagner. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Wagner with Brown, since it would have allowed a user to disable form content.

In regard to dependent claim 11, Brown, Himmel, and Wagner disclose the limitations similar to those in claim 10, and the same rejection is incorporated herein. Brown further discloses wherein said layer is initially defined as hidden, and is made visible upon execution of said function definition. (Brown Col 7 Lines 49-65 i.e. desktop components are hidden beneath sub layers and not visible)

In regard to dependent claim 12, Brown, Himmel, and Wagner disclose the limitations similar to those in claim 11, and the same rejection is incorporated herein. Brown further discloses wherein said layer comprises one of plural layers in a cascading style sheet web page (Brown Col 7 Lines 49-65) (Brown Col 11 Lines 47-67 and Col 12 Lines 1-43 i.e. layers known as wallpaper that can be visible and manipulated and resized).

In regard to dependent claim 13, Brown, Himmel, and Wagner disclose the limitations similar to those in claim 10, and the same rejection is incorporated herein. Brown further discloses wherein said function definition component is executed in

response to user operation of said data submission field. (Brown Col 14 Lines 44-48 and Col 16 Lines 47-49)

In regard to dependent claim 14, Brown, Himmel, and Wagner disclose the limitations similar to those in claim 10, and the same rejection is incorporated herein. Brown further discloses wherein said function definition component is executed solely within a client device to prevent subsequent data entry via said data input screen. (Brown Col 7 Lines 49-65 i.e. desktop components are hidden beneath sub layers and not visible for the user to manipulate)

In regard to independent claim 15, Claim 15 reflects similar subject matter claimed in claim 1 and is rejected along the same rationale.

In regard to dependent claim 17, Claim 17 reflects the same subject matter claimed in claim 3 and is rejected along the same rationale.

In regard to independent claim 24, the applicant discloses limitations similar to those in claim 1. Claim 24 is similarly rejected.

5. Claim 18 remains rejected under 35 U.S.C. 103(a) as being anticipated by Moneymaker et al. (US 2002/0049708, provisional filed 2 May 2000, hereafter Moneymaker) and further in view of Wagner.

As per independent claim 18, Moneymaker discloses a method for preventing data entry to a web page comprising the steps of:

- Associating an executable script with the web page (paragraph 0034: Here, the executable script is associated with a webpage)
- Permitting a first data input to the web page (paragraphs 0034-0039: Here, a user selects to add a pizza to his/her order. This causes a checkbox to appear to adding potential toppings to a pizza)
- Executing, in response to the first data input, the executable script (paragraphs 0034-0039)

Moneymaker fails to specifically disclose rendering the data input screen inaccessible to prevent user input. However, Himmel discloses rendering the data input screen inaccessible to prevent user input (Figure 5). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Brown's method with Himmel method, since it would have prevented multiple submission of duplicate data.

Moneymaker further fails to disclose associating the executable script with a predetermined z-index number for a web page and rendering inaccessible those data entry elements associated with the web page that have a z-index change from the predetermined z-index number. Wagner discloses use of a z-index number allowing for submission of form data if the z-index value is zero, while the data entry elements, such as a submit button are rendered inaccessible if the z-index value is one (column 13, lines 13-20). Although Wagner discloses disabling a command based upon a change to a higher z-index value, one of ordinary skill in the art would have recognized that in both Wagner, and the instant application, the focus is upon the change of the z-index from

one value to a second different value. Similarly, the change from a higher value to a lower value as opposed to a change from a lower value to a higher value is a design choice that does not alter the teaching of Wagner. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Wagner with Moneymaker, since it would have allowed a user to disable form content.

Response to Arguments

6. Applicant's arguments with respect to claims 1-18 and 24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KYLE R. STORK whose telephone number is (571)272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kyle R Stork/
Primary Examiner, Art Unit 2178